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12 March 1981

# Worldwide Report

LAW OF THE SEA

No. 142

**FBIS**

FOREIGN BROADCAST INFORMATION SERVICE

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12 March 1981

## WORLDWIDE REPORT

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USSR WANTS ORIGINAL NEW ZEALAND FISHING QUOTA RESTORED

Auckland THE NEW ZEALAND HERALD in English 30 Jan 81 p 1

[Text] The Soviet Union wants its fishing quota restored to the pre-Afghanistan embargo level and is optimistic that the New Zealand Government may agree.

But the director of the fisheries management division of the Ministry of Agriculture and Fisheries, Mr Brian Cunningham, said the total allowable catch for all species of fin fish next year would probably be not too different from the current season.

The Government cut the Russian quota by about half to 32,500 tonnes after the United States called for trade embargoes on Russia in protest at the invasion of Afghanistan.

The ministry will discuss the foreign fin-fish quotas soon to set the quotas for the 1981-82 season, which begins at the end of March.

Under Quota

Yesterday, the Soviet Union's fisheries liaison officer, Mr Oleg Bakurin, said Russia's first wish was for the old quota to be restored.

Russian fishing boats working under the licensed quota system this season have been unable to take their full allocation.

Mr Bakurin said only about half of the quota (about 15,000 tonnes) would be taken because the fishing area allocated to its boats was a poor one.

Shortly after the Russian quota was slashed, the ministry also pulled out of a research project using several Russian trawlers.

Mr Bakurin said Russia was willing and ready to resume the project because his country was anxious to restore all bilateral relationships. But ministry sources suggest that Russia's chances of getting its old quota back are remote.

One official said the ministry wants to go through a period of consolidation for all foreign fishing.

It has already asked foreign joint-venture companies to make voluntary cuts to their catches.

Japan will be happy if it can retain its 79,500-tonne quota next season, according to its fisheries liaison officer, Mr Takafumi Nobukuni.

#### Voluntary Cut

It is unlikely to take its full allocation this year because of difficulties in maintaining catches in the southernmost and most rugged zone.

South Korea voluntarily cut its fishing effort this year for financial reasons and is expected to take only a small part of its 25,500-tonne allocation.

It has plans to step up its fin-fishing a little next season.

CSO: 3200

NEW ZEALANDERS RAP JAPANESE FISHERIES RESEARCH TEAM

Christchurch THE PRESS in English 27 Jan 81 p 5

[Text]

PA Wellington  
The Government's fishing policy is causing big losses in export earnings from squid, according to the Fish Exporters' Association.

The association's president, Mr R. Harrison, said the policy favoured foreign-licensed squid vessels over the export-earning joint-venture boats.

Joint-venture fishermen were also concerned about the Government's decision to allow a Japanese fisheries research team to work in New Zealand waters this summer, he said.

Mr Harrison, who is also chairman of the joint-venture committee of the Seafood Processors and Exporters' Association, said there was concern that Japan wanted a bigger fishing quota in return for the research.

He called for much more Government spending on fisheries research so that joint-venture companies had enough information on which to base their "very expensive" investment.

Mr Harrison said foreign-licensed squid boats did not have to comply

with Ministry of Transport surveys or Ministry of Agriculture and Fisheries hygiene regulations. They could transfer their catches into carrying boats at sea, unlike joint-venture boats which had to return to port.

The effect was to make squid fishing by foreign-licensed vessels more attractive than by joint-venture. Yet joint ventures would give New Zealand experience in developing the resource, and would earn good export money. All New Zealand got from foreign-licensed vessels was the fee.

CS0: 5200



# TAIWANESE BOATS IN SQUID NETTING TEST IN NEW ZEALAND WATERS

## New Zealand Conditions

Wellington THE EVENING POST in English 14 Jan 81 p 4

[Text]

Specially imposed conditions to control the four experimental squid gill netting vessels operating in New Zealand waters this season have been announced by the Ministry of Agriculture and Fisheries.

The conditions are designed to minimise unwanted effects in fishery. In particular there are controls on areas which may be fished and on operating conditions for nets.

There are limits on the net mesh size and on the bycatch (other fish caught in the nets apart from squid).

The Ministry could adjust these conditions if necessary, according to assistant director of fisheries management Tom Norris.

The four vessels involved in the experiment are Taiwanese boats hired and operated by the Nelson-based group Solander Fisheries Ltd during the current squid season, which ends in mid-June.

"They will be required to fish outside New Zealand territorial waters and outside areas closed to foreign trawling and longlining, and

must not harass vessels of the existing New Zealand domestic industry," said Mr Norris.

"Nets must be attached to the vessels at all times, unlike commercial practice overseas, where they are allowed to drift.

"All nets must be clearly marked, with a buoy fitted with a radar reflector, light, and displaying the NZ-registered number attached to the lay end of the net."

Among other conditions laid down by the Ministry is a minimum net mesh size of

55mm. Each net panel is 50m long and 8m deep. Up to 400 panels could be used in each net.

A special watch will also be kept on any accidental meshing of marine animals.

The controversial form of gill net fishing has angered many New Zealand fishermen who expressed concern in the past that the method was said to be highly destructive to many forms of marine life, particularly marine mammals.

It has been felt in the past that the nets constituted a hazard to navigation.

## Beginning of Experiment

Wellington THE EVENING POST in English 16 Jan 81 p 6

[Text] Nelson, Jan 14 (PA)--Experimental squid fishing using nets rather than jigging--involving a new Nelson-owned company and Taiwanese vessels--began last night north of Farewell Spit.

The 1410-ton Shin Kong No 1, the first of five Taiwanese fishing boats involved in a joint venture with Solander Fisheries Ltd, has sailed from Port Nelson for the squid grounds.

"She should have completed her first night's fishing using the Nagashi-ani method," said Mr Michael Talley, a director of Talley's Fisheries Ltd, the Motueka company which owns part of

Solander Fisheries Ltd.

Mr Talley said the squid fishing experiment was for the Ministry of Agriculture and Fisheries in a bid to find more fuel-efficient catching techniques.

"We are just the charterers of the vessels," he said.

Mr Talley denied criticism from some fishermen that Nagashi-ani is a form of gill netting which is destructive to many forms

of marine life, especially mammals.

"This isn't the case where it has been tried overseas," he said.

"Tuna couldn't fit their heads through the mesh and anyway they are further north at this time of year along with porpoises, which generally follow the tuna.

"As the nets are only set at night I can't see them

threatening dolphins. We might get a few mackerel."

Mr Talley said under this system, which requires a quarter of the fuel needed for squid jigging, nets are set across a current and squid lured to them with low-powered lights.

"The current then sweeps them into the net. You don't need the high horsepower and big generators required for jigging."

## Initial Catches Poor

Auckland THE NEW ZEALAND HERALD in English 29 Jan 81 p 8

[Text]

Taiwanese gill netting for squid, using nets up to 21 kilometres long, has started, but the results are well below expectations.

Two big gill netters began fishing off the West Coast of the South Island about two weeks ago in a scheme to see if this method is more effective than squid jigging.

The director of the management division of the Ministry of Agriculture and Fisheries, Mr Brian Cunningham, said catches from the gill netters had been very poor and well below expectations so far.

### Four Approved

He said it was still early days yet and in order to gauge the effectiveness of the system a longer trial was necessary.

Approval was given for four big gill netters to come to New Zealand this squid season, but only three have arrived and of these only two have started fishing.

Fears that they would snare marine mammals have so far proved unjustified, according to Mr Cunningham.

The marine division of the Ministry of Transport has issued a warning to shipping about the gill netters to prevent other craft from steaming into their nets.

### Little Change

Squid gill netting is banned in Japan's inshore waters, but it has a reputation for being very efficient where used in other parts of the Far East.

Should it prove efficient in New Zealand, it could provide a means for local fishermen to take over squid fishing because it is not as labour intensive as squid jigging. Fairly conventional boats could also be used with relatively little modification.

The Australian Government has approved similar gill netting experiments to be held in its waters.

Mr Cunningham said the squid season so far has proved very good with jig catches equal to those of the same period last year.

CS0: 5200

# THAI FISHERMEN CLAIM TO BE VICTIMS OF VIETNAMESE PIRATES

Bangkok BAN MUANG in Thai 30 Jan 81 pp 1, 2

[Article: "Fishermen Appeal to RTN"]

[Text] It has been disclosed that Vietnam regularly sends pirates to rob fishing boats in Thai waters in the area of Pak Phanang District and nearby provinces in order to seize the boats and take the fish for food. Appeals have been made to the government to order the Navy to send some ships to patrol [the area] and protect the fishermen. It has been revealed that Pak Phanang is a weakpoint that Vietnam can invade since it takes only 24 hours for boats to reach here.

Mr Phongsak Butcharanuwong, the president of the Pak Phanang municipal council, and Mr Suphot Klasukhon, a member of the Fishing Cooperative in Pak Phanang District, Nakhon Sithammarat Province, talked with reporters at parliament yesterday morning (29 January). They disclosed that, at present, it appears that pirates, who are thought to be Vietnamese soldiers, are using modern boats and weapons to regularly rob Thai fishing boats. It has reached the point where the fishermen are afraid to go out to fish. This has been going on since the end of December. Fishermen who pass near Ka Island in Pak Phanang District are regularly robbed. To date, more than 10 fishing boats have been robbed. This includes boats from Pattani, Songkhla and Nakhon Sithammarat. Concerning the actions of these Vietnamese pirates, after robbing the fishermen, they seize the boats and take the fish too for food. As for the fishermen, in some cases, all the men aboard the fishing boat have been killed. In other cases, the fishermen have been set adrift in the sea. For example, in the case of the boats named the "Phun Phon" and the "T. Laksana," 12 fishermen were killed and only one survived. The value of the goods stolen is not known. Each boat was valued at almost 1 million baht but this does not include the value of the fish and other items.

Mr Phongsak also stated that, concerning the Vietnamese who are involved in this, it is certain that they are Vietnamese soldiers because they use weapons that are used on the battlefields. It is thought that they are engaging in such activities for three reasons: 1. They are doing this in order to see how well we patrol our territorial waters. 2. They want to terrorize the Thai people.

3. They want to seize food from Thailand and use it to feed their troops who are disguised as civilians or as Vietnamese refugees.

However, Mr Phongsak stated that each time Vietnamese pirates rob Thai fishermen, it is very easy for them to enter the area without any of our officials concerned being aware of it. They can come and go freely each time. This is different from the situation in Malaysia. Malaysia has very tough national defense measures. Neither Vietnamese refugees nor anyone else can get in. If they enter Malaysia, they are immediately forced to leave. Strangers who slip in are immediately discovered and intercepted. As for us, Vietnamese refugees enter the country and live here for a long time before we find out. It is only when we see large numbers of them walking on the beach that we find out! Our defense measures are very weak and it is very distressing if something happens. In particular, the important thing is that the coast of Pak Phanang and the coast of Vietnam are only 24 hours away by boat. It is expected that during this coming March and April, large numbers of Vietnamese refugees will enter Thailand since, during this period, there are no storms, the winds are gentle and travelling by boat is very convenient.

Concerning defense measures, Mr Somphong stated that he would like to propose that the government quickly implement defense measures and put a stop to this. In particular, the Navy should send more ships to patrol the Gulf of Thailand; otherwise, larger and larger numbers of Vietnamese refugees will flow into Thailand. If they are allowed to enter Thailand and are not forced out or intercepted, this will later create problems for the government, which will have to solve the problems later. Concerning the government boats in Pak Phanang District, at present, there is only one marine police boat but even it cannot be used because the government has not budgeted money to buy gasoline for it. As for the Vietnamese refugees in Pak Phanang, there were 120 people here and just recently more than 60 more refugees arrived.

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MALACCA STRAIT POLLUTION CONTROL SIGNED

Rangoon THE WORKING PEOPLE'S DAILY in English 14 Feb 81 p 6

[Text]

**DJAKARTTA, 13 Feb—**  
A memorandum of understanding on the control of pollution in the Malacca Strait has been signed here between Japan and the three littoral states—Indonesia, Malaysia and Singapore.

The memorandum, signed yesterday, provides for Japan as the biggest user of the strait's shipping lanes to make available 300 million yen, with an additional 100 million yen to come from the Malacca Strait Council, to finance pollution control in the strait.

The 400-million-yen revolving fund to be managed in five-year terms by Indonesia, Malaysia and Singapore in that order will be used to fight pollution in the strait in the event of ship or tanker accidents (such as the oil spill caused by a grounding of the *Shomo Maru* in 1975).

The signing topped three days of discussions and negotiations on the safety of traffic and pollution control in the strait by delegations from the four countries led by Tsuboi (Japan), Datuk Ali Abdullah (Malaysia), Chittarajan Kuttan (Singapore) and M. Satari (Indonesia).

CSO: 5200

INTER-ASIAN AFFAIRS

ROC WANTS FISHING ACCORD WITH PHILIPPINES

OW031451 Taipei CNA in English 1350 GMT 3 Mar 81

[Text] Taipei, 3 Mar (CNA)--The Republic of China wants to take the initiative to negotiate with the Philippines on the overlapping water areas between the economic zones of the two neighboring countries, Economics Minister Chang Kwang-shih said Tuesday.

Although Taipei and Manila maintain no formal diplomatic relations, there should be an agreement to settle all disagreements regarding fishing rights on the overlapping water areas, Chang pointed out, when answering an interpellation at the Legislative Yuan. Chang said the Republic of China is planning to send representatives to the Philippines to sort out matters in dispute, including the release of over 40 Taiwan fishing boats detained by the Philippine authorities recently. The Republic of China is seeking a fishery cooperation project with the Philippines for mutual benefits, Chang said, adding that initial negotiations are underway.

Chang's remarks came one day after a statement by the Economics Ministry calling on fishermen to refrain from operating in the vicinity of the Batan Islands, north of the Philippines, to avoid disputes. The statement also warned fishermen not to approach the "undefined" areas covered by the economic zones declared by the two countries.

CSO: 5200

## AUSTRALIA

### BRIEFS

**PRAWN FISHING**--Canberra.--The Federal Government would spend up to \$100,000 on exploratory trawling in deep water off southeastern Australian for royal red prawns. The Federal Primary Industry Minister, Mr Nixon, said yesterday, the operation would be carried out in April and May off the coast between Robe, South Australia, and Strahan, Tasmania. [Text] [Br'sbane THE COURIER-MAIL in English 13 Jan 81 p 3]

CSO: 5200



## SQUID FISHING SEASON OPENS, EXCELLENT CATCHES REPORTED

Christchurch THE PRESS in English 19 Jan 81 p 12

[Text]

PA Wellington tonnes. This is about the same figure as the corresponding time last year, but it has been taken by fewer boats.

Squid fishermen are reporting excellent catches as the main season starts. The catches bode well for the season, although fewer vessels are seeking the species, one of the top export earners for New Zealand fishing.

Squid earned more than \$13 million of the total fish export receipts of \$87.8 million in 1979, the latest year for which figures are available. It was the second-most valuable export species after rock lobster, which earned nearly \$27 million.

Catches since the season began in mid-December were much better than last year, said Mr Raffaele Muollo, managing director of Southern Cross Fisheries, of Wellington, which has a squid joint venture with Korea.

"We have had fine weather and there are a lot of squid there. It seems to be a good season," he said.

Ministry of Agriculture and Fisheries figures show that the catch by foreign licensed vessels has been the best. At January 5 the total catch was just under 6800 tonnes. This is about the same figure as the corresponding time last year, but it has been taken by fewer boats.

Joint ventures also show a healthy level of catch, according to the Ministry's figures.

While the total number of vessels authorised to take squid is the same as last year, 210, the actual number arriving is expected to be well down, the Ministry says.

Foreign licensed jiggers have been limited to 103 vessels for the 1980-81 season, but only about 75 are expected to come.

In joint ventures, 106 vessels have been approved but only 51 have so far arrived, although some more are expected. Over all, the number of vessels taking squid might be down about 50 this year.

The total allowable squid catch this year was set at 81,000 tonnes, a decrease of 15,000 tonnes on the 1979-80 quota. The decrease reflects scientific concern for the squid stocks round the Auckland Islands and Campbell Island.

CSO: 5200



## GOVERNMENT STUDY REVEALS RICHEST, POOREST FISHING WATERS

Christchurch THE PRESS in English 20 Jan 81 p 7

[Text]

New Zealand's richest deep sea trawling waters are found the Chatham Islands: an area about 150 nautical miles off the Canterbury coast to about 200 miles east of the Chathams yielded the highest catch per mile trawled, according to a Ministry of Agriculture and Fisheries computer analysis.

One of the lowest trawling yields was recorded in an area of about 150 square miles between the Chathams and the Kaikoura coast.

The Chathams catch was 1180kg per mile. The next highest yields were to the south-east of New Zealand, round the Campbell and Bounty Islands, about 536kg per mile.

The low yielding area between the Chathams and Kaikoura recorded a catch of 214kg per mile.

The lowest yield was on the West Coast of the North

Island (183kg) and the West Coast of the South Island did not record a much higher figure at 233kg.

From a point 150 miles south of Stewart Island and west to the territorial limit, the catch was 316kg per mile.

The main catch round the Chatham Islands was oreo dory and fish for moki (unwanted species).

The analysis was of catches by foreign licensed and joint venture trawlers for the year to March 31, 1979. Of all fish caught, southern blue whiting comprised 20 per cent of the catch, squid, 13 per cent; oreo dory, 11 per cent; and hoki, 9.5 per cent.

Most of the southern blue whiting catch was from the south-eastern waters. Most of the catch was by vessels of between 2000 tons and 4000 tons.

CSO: 5200

CHILE, PERU, ECUADOR CONDEMN SEA LIMIT VIOLATIONS

PA252309 Madrid EFE in Spanish 2234 GMT 24 Jan 81

[Text] Cali, Colombia, 24 Jan (EFE)--The foreign ministers of Chile, Peru, Ecuador and Colombia today condemned the violations to the 200-mile sea limits that each of their countries has set.

In a so-called Declaration of Cali, Ministers Rene Rojas Galdames, Alfonso Barrera, Javier Arias and Diego Uribe, of Chile, Ecuador, Peru and Colombia, respectively, rejected coercive measures imposed on the southern Pacific states in opposition to the OAS Charter and in international law.

The ministers noted with pleasure that the objectives and principles established in the "Declaration of Santiago" in 1952 have served as basis for a policy aimed at the decolonization of the seas and at a restructuring of the law of the sea to establish an equitable and just juridical order that gives special consideration to the interests of the developing countries. The ministers agreed to continue working in a coordinated fashion to safeguard and consolidate their achievements.

The ministers noted that an international organization should protect, as a common patrimony of mankind, the sea and ocean beds outside legal national limits to prevent the exploitation of resources from having adverse effects on the economy and revenues of the developing countries that export the products of this exploitation.

The ministers flatly rejected unilateral efforts to exploit seabeds and their subsoil, which must not be appropriated by any state or any person and over which no state or person can have any right.

The ministers noted that the international authority that would administer the sea and ocean beds must not be the subject of control, or be subjected to the interests of a small group of powers, but must be authentically democratic and must adequately represent the interests of the Third World countries.

Regarding the discussions presently taking place at the Third UN Conference on the Law of the Sea, the foreign ministers believe that their governments should jointly analyze the convention project (as received) to coordinate, as much as possible, the position of their countries on this project, as well as to initiate suitable actions for the final convention.

The South Pacific countries admitted efficient means must be established to struggle against the contamination of the seas and agreed that they must increase their scientific research efforts. They also noted they are working on an understanding among their countries to contribute to the preservation and best utilization of tuna, a resource at the free and sovereign disposal of the riparian countries.

The ministers reiterated their political support for the permanent committee of the South Pacific and noted the suitability of strengthening it and making it more effective. On the basis of its present geographic sphere, it must continue to effectively unite its members countries, as well as the appropriate regional organization for the defense of sea interests.

The ministers made the office of the secretary general responsible for studying the challenges resulting from the new situation and for presenting at a special meeting suggestions on how to guarantee the required strengthening and effectiveness.

Finally, the foreign ministers agreed to meet periodically to strengthen the system and to coordinate the sea policies of their respective countries.

CSO: 5200

## INTER-AMERICAN AFFAIRS

### BRIEFS

CUBAN SHIPS WARNED ON 200-MILE LIMIT--Santiago, Chile, 23 Jan (AFP)--It has been reported here that the Chilean Navy today warned that the Cuban fishing ships sighted yesterday near Chilean territorial waters run the risk of being captured and being assessed fines if they violate the 200-mile limit. Vice Adm Raul Lopez Silva, commander in chief of the navy and deputy member of the government junta, stressed that the navy keeps a very close watch over the maritime heritage of the nation, the integrity and wealth of which must be defended under any circumstances. The admiral said that the Cuban ships, detected 230 miles from Mocha Island at 39 degrees south latitude, were outside Chilean territorial waters, which they have not yet violated. [Excerpt] [PY241514 Paris AFP in Spanish 0310 GMT 24 Jan 81]

CSO: 5200

# EDITORIAL SEES SOVIET DESIGNS ON MAR DE CHILE

Santiago EL MERCURIO in Spanish 27 Jan 81 p A-3

[Editorial: "The Mar de Chile and the USSR"]

[Text] The meeting in Cali, Colombia of the Permanent Commission for the Southern Pacific culminated in a declaration that besides reaffirming the policy of defending the 200 miles of territorial waters, calls for adopting a series of measures to protect the wealth of fish life in the member countries, including the establishment of a joint naval force.

The uneasiness shown by the delegates from Colombia, Ecuador, Peru and Chile started with the great powers' growing interest in increasing their presence in the Southern Pacific, which usually results in non-selective fishing that is harmful to marine fauna.

However, it is not only an interest in obtaining a larger supply of products from the sea that leads some of these powers to keep their small fleets opposite our coast. Chile has discovered a disturbing political and military tendency in the operations of Soviet ships and those of other Communist nations that are stationed facing the territorial waters limit.

Last summer a Soviet ship settled in Mar de Drake which is an essential passage uniting the Atlantic and Pacific oceans. A Soviet ship was apparently assigned to scientific research, but it turned out to be provided with advanced electronic equipment for intercepting or destroying direct or satellite communications and for carrying out other more complex and undetermined tasks in the information field.

In the Soviet naval strategy to control and dominate the sea lanes, special importance is given to the Mar de Chile. Already, during the Popular Unity government, Soviet ships were operating on our coast in noticeable numbers under the pretext of researching fishing, but they were really interested in searching for suitable areas for submarine operations.

In its zealous surveillance of our coastline, the National Navy has discovered the presence, since March 1979, of 106 boats from the Soviet orbit, which are partly fishing and partly scientific ships, in the vicinity of the 200 mile limit. Some of them are genuine floating factories with a large storage capacity. They

perform drag fishing, averaging 30 tons each time, without any selectivity regarding the species caught.

Right now 19 Cuban boats are operating opposite off Concepcion. They have not crossed the 200 mile limit, but their operations have already been discovered and the Navy is carefully following their movements in order to seize them in case they violate Chilean territorial waters.

Since they are beyond our economic zone and territorial waters, the Cuban boats are completely free to operate, but this activity can have harmful repercussions on our fish resources. Otherwise, as acting Command. in Chief of the Navy, Vice Admiral Raul Lopez Silva pointed out, it is always possible that the Cuban boats are carrying out spying missions.

The aforementioned demonstrates the need to strengthen protection of the Chilean fishing potential and of the still undetermined wealth that lies at the ocean bottom off our coast, for which purpose the country must have enough resources available.

The agreements adopted on this subject by the Permanent Commission for the Southern Pacific are strengthened by the full agreement on proposals among the commission's four member countries, now including Colombia, thus reaffirming the joining of interests and points of view on defending the wealth of the sea.

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CSO: 5200

# UN DISCUSSIONS OF OCEAN NODULES CONTROVERSY NOTED

Havana PRISMA LATINOAMERICANO in Spanish Nov 80 p 58

[Article by Jose Bodes Gomez]

[Text] A little over a century ago scientists discovered polymetallic nodules on the ocean floor, but it will be a few years before this wealth can be utilized by mankind.

For a long time the search for those submerged minerals was impossible because of lack of technical resources. Later, methods to extract the nodules were invented, but that operation was too costly to attract investors.

Finally, in the closing years of this 20th century, the technical and commercial conditions necessary to awaken interest in mineral exploration on the ocean floor have been achieved.

The question now is whether this new production will be used for the benefit of mankind in its entirety or for only an infinitesimal part thereof--namely, the transnational corporations.

According to preliminary calculations, entirely feasible to implement, there are on the ocean floor reserves of copper, manganese cobalt, nickel and other valuable metals which in some cases surpass the quantities which have been discovered on land. This means that as new exploration methods are perfected, even greater deposits will appear.

Only 10 years ago the United Nations agreed to consider the ocean resources as the patrimony of all mankind, and shortly thereafter, the Third Conference on the Law of the Sea got under way in Caracas.

The work of this conference went much further than was foreseen, and each year ends with the frustration of not having been the decisive year in which a new maritime agreement was obtained. However, it must be said that 1980 will end with less bitterness than previous years, since the debates on the sea have made important advances in the last few months.

For the first time the industrialized countries and the developing nations have come to an agreement regarding the manner of voting in the future council of the International Maritime Authority. A policy has also been designed with a view to limiting production from the ocean floor, to alleviate its negative effect on land producers.



For the countries which produce nickel, copper and other metals which are also found on the ocean floor, this limitation does not satisfy their demands made in previous sessions, but the agreement reached doubtless represents a more positive formula than what had initially been proposed to the Conference. In addition, there is still the possibility that compensatory clauses for countries affected by the new competition will be approved. Some experts believe that in the first stages of exploitation the minerals extracted from the ocean floor will be barely one-fourth of what is produced on land.

As for nickel, one of the formulas proposed is that mining companies may only extract an amount equivalent to three-fifths of the market increase, the other two-fifths being reserved for the traditional producers.

With respect to other metals found in the ocean nodules, such as copper, cobalt and manganese, their activity will depend on what develops with nickel, so that mining investment will not lean disproportionately in favor of some metals, while ignoring the extraction of others.

Recognition by the international community that there must be an authority, accepted by all the states, which regulates the exploitation of the oceans, means a great step forward for other sectors of world economic life. The idea was resisted at first by the developed capitalist countries, which opposed any type of control so that the transnational firms might have complete freedom in this new venture.

The discussions in the Conference of the Sea have been long and difficult, due to the diversity of interests it is attempting to conciliate. In the first place, ocean mining must not become one more factor of disadvantage for the underdeveloped countries, much less depress the prices of those metals on which a good part of the economy of those nations depends.

The industrialized capitalist countries, in turn, have tried to press for an agreement which would be so broad and flexible that its clauses would not involve any sort of compromise. At the same time, the governments of the United States and the Federal Republic of Germany have approved domestic legislation authorizing their own firms to begin sounding and exploitation of ocean resources, while the international convention has not yet been approved. Measures of this kind are a flagrant violation of the agreements made in the United Nations itself.

Among the questions pending solution is the thorny problem of the European Economic Community, which wants to be admitted as a bloc. Actually the behavior of this nine-nation economic group, as we saw in the case of sugar and other basic products, has had very negative effects on the interests of the underdeveloped countries, and this causes its current ambitions to be viewed with well-founded suspicion by most of the states participating in the conference.

In spite of all this, the negotiations appear to be approaching their culmination, and just the fact that the conference has succeeded in regulating the activities of the transnational firms in this area will be a victory for the socialist countries and the so-called Third World.

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EDITORIAL VIEWS IOCARIBE, STRESSES LOS COOPERATION

Georgetown GUYANA CHRONICLE in English 8 Jan 81 p 6

[Editorial: "The Promise From the Sea"]

[Text] Guyana's membership of the Intergovernmental Oceanographic Commission's Association for the Caribbean and Adjacent Regions [IOCARIBE] is proof of government's awareness of the rich marine harvests the ocean can yield and of its determination to gather in that harvest for the benefit of the nation.

However, no country, developing or developed, can assay this stupendous task alone. The involvement of oceanographers, marine biologists and geologists, technicians and researchers is necessary for the resources of the earth's oceans and seas are boundless; fish shrimp and fossil fuel are but fringe benefits, according to scientific opinion founded on proof.

Realising this, nations have come together for united and peaceful endeavours aimed at plumbing the depths of the sea for development of its potential, especially in the area of food. We say 'peaceful endeavours' for not unexpectedly, tensions had arisen between countries as regards territorial boundaries and infringement of rights, among other crucial issues. United Nations conferences on the Law of the Sea, for years the forum for heated debate, have at last reached agreement on a number of these issues and ushered in a new Ocean Regime. The role which IOCARIBE will play in this regime was a priority topic at a recent meeting in Cancun, Mexico for it is a role of commitment and responsibility for Guyana and other developing countries. Underlying this role, is the ultimate intention of enhancing the marine science capabilities of developing member states of IOCARIBE.

Reports from the Mexico meeting which was in its third session, disclosed that the delegates stressed the importance of developing regional programmes on ocean dynamics and recommended projects in the field of [word illegible] biology and living resources, in support of fishing and related industries. The meeting paid special attention to marine pollution, geology and information exchange, among other matters.

Guyana and other member countries will benefit from training programmes for scientific and technical personnel and will participate in an action plan

involving the Caribbean, an environmental programme sponsored by the UN and the Economic Commission for Latin America.

These insights furnish an idea of the work envisaged by the IOCARIBE. They tell of united efforts in a sphere of development that is vitally important to this hard-pressed nation as it is to the other, eighteen member-countries for those efforts hold promise of bountiful harvests.

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## BRIEFS

**SURINAME FISHING**--Over 32 Guyanese fishermen have received licences from the Suriname Government to operate in the Corentyne in 1981. The licences were recently renewed in Nickerie. According to Comrade Kumar, secretary to the Upper Corentyne Fishermen Co-operative Society, several fishermen have not yet been granted licences. Meanwhile the 15 Guyanese fishermen who were arrested last month when Suriname police seized four of their fishing vessels are due to appear in a Suriname court on January 19. GNA [Text] [Georgetown GUYANA CHRONICLE in English 9 Jan 81 p 11]

CSO: 5200

EDITORIAL COMMENTS ON 'LAW OF THE SEA'

Kingston THE SUNDAY GLEANER in English 11 Jan 81 p 8

[Editorial: "The Law of the Sea"]

[Text] What is the latest on the "Law of the Sea"? In 1970 when the United Nations declared that the "oceans are the common heritage of mankind," this set the stage for development of the Law of the Sea Treaty which began in 1979.

Since that time over 160 nations have been meeting regularly to hammer out the details of an acceptable treaty, which is designed to control the exploitation of the sea's resources. Oil, gas and metallic substances particularly "ocean nodules" and sunken treasures are some of the major areas of intent.

Dr Rattray and Mr Robinson of the Attorney General's Department have been Jamaica's major advocates at the international discussions.

Jamaica has much to gain or lose from the outcome of the treaty insofar as the control of its territorial waters is concerned. It is high time that Jamaica's interest is consolidated and the public be assured that Jamaica's position has been adequately taken care of even at this time.

CSO: 5200

## SEVENTY-TWO VESSELS APPLY FOR FISHING RIGHTS

Victoria NATION in English 12 Feb 81 pp 1, 2

[Text]

SEVENTY-TWO foreign fishing boats, including two from the Soviet Union, have applied to fish in Seychelles exclusive waters.

The acting Chief Fisheries Officer, Mr. Aubrey Harris, said yesterday that foreign fishing vessels licensed so far had begun fishing in Seychelles' Exclusive Economic Zone last October.

The latest, he said, were two Soviet fishing vessels — the long-lined *Zadornyy* registering 848 tons and the 5,272 ton *Leninsky Luch*. The rest of the vessels are from Korea, he added.

"All licensing procedures of the foreign vessels are strictly in accordance with the fisheries decree of 1979," Mr. Harris said, adding that each vessel was required to pay a licence fee of R. 50 for each gross registered ton per month. "In general, the licensed vessels now operating in Seychelles pay between R. 20,000 and R. 250,000 per month.

Seychellois officials have been deployed to monitor the activities of each fishing vessel to ensure that fishing operations are carried out in the letter and spirit of the 1979 decree on fishing operations by foreigners.

Mr. Harris said as a result of the Law of the Sea Conference, the resources within the EEZ which "we cannot ourselves adequately exploit" have been made available to interested parties to fish with the necessary payment of a licence.

The fisheries officer said only larger tuna were involved in the foreign fishing exercise, which goes by season.

He explained that October to May was the season most preferred by foreign fishing boats because more tuna were available in Seychellois waters.

The Soviets have applied and paid for a provisional one-month fishing facility. They are expected to renew their license for the average period of three months.

## BRIEFS

ICELAND-FAROEES FISHING ACCORD--A two-day round of ministry-level talks in Reykjavik, around the middle of last month, ended with the signing of an Icelandic-Faroese fisheries accord for 1981. But, interestingly, some press stories on the development failed to mention the main point of the agreement: the exact take of demersal (bottom) species from Icelandic waters that had been authorized for Faroese operators. If that was an oversight on the part of the writers, it seemed significant enough. Foreign catches of demersal fish from waters surrounding this country--a burning issue not so many years ago--had dwindled to a level that was indeed negligible in any historical perspective. The new quota for Faroese fishermen was just 17 thousand tons--besides a reciprocal deal involving 20 thousand tons of blue whiting, a migratory pelagic species seen as holding out a notable promise. The agreement was virtually a carbon copy of last year's, and included diverse provisions on co-operation between the two nations. All foreign demersal catches from Icelandic waters in 1980 came to just some 24 thousand tons, part of which were tiny quotas granted to Norway and Belgium. By contrast, foreign vessels, especially British and West German trawlers, were reported to have taken 384 thousand tons near this country in 1970. Iceland unilaterally extended its fisheries jurisdiction to 50 nautical miles in 1972, and to 200 miles three years later. Both moves led to British naval interference with patrol vessels, but foreign fishing inside this country's present resources zone became minimal by late 1977. [Text] [Reykjavik NEWS FROM ICELAND in English Feb 81 p 1]

CSO: 5200

NEWSPAPER ANALYZES RESULTS OF LOS CONFERENCE

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 5 Feb 81 p 8

[Article by Dr Dr Rudolf Dolzer: "The High Seas To Remain Free for All Nations"]

[Text] In today's practice, modernism in law is mostly characterized through striving for an improved balance of interests, through differentiation, complexity and blowing up of norms. For the person subject to the law it frequently results in a lack of visibility and loss of freedom. If proof were needed that this is so, additional evidence, it could be found in an almost exemplary form in the recent developments of the international law regarding order on the seas. Traditional regulations dating from the time before 1945 dealt essentially with two categories: the high seas and coastal waters. On the high seas practically everything was permitted, with respect to coastal waters the border state had exclusive rights. The planned new law of the Sea Convention is to be altogether different: It is to consist of a treaty with 320 articles as well as 7 appendices with 107 additional regulations.

Just 15 years ago, only a limited revision rather than a total overhaul of the Maritime Law was contemplated. The economic use of the bottom of the sea was to be put under the concept of the "joint heritage of mankind" and, consequently, removed from the grasp of technologically advanced countries. Nevertheless, when agreement was reached in principle, it soon became apparent that the mandate of a new Maritime Law Conference could not be restricted to the bottom of the sea. The existing order on the seas was not universally accepted anyway, and, furthermore, reciprocal claims to various norms regarding territory within the Law of the Sea could easily be used as an argument in favor of a comprehensive examination of the existing law.

Against this background, the Law of the Sea Conference began its work in 1973. A short time later it had already agreed in principle on the introduction of a so-called "exclusive economic zone" for coastal states. Many years of sessions were necessary, however, before the new concepts were put into concrete formulations; during this time conference participants presented their requests for definitions, modifications and, above all, exceptions. During the process of political bartering, which lasted for 8 years, 427 articles--now under consideration--were negotiated or rather: they are the result of the bargaining (see FRANKFURTER ALLGEMEINE ZEITUNG, 12 November, page 9). What remained of the old law, at least when it comes to terminology, are the coastal waters and the high seas. New are categories such as, particularly, "economic zone" and "territory"; a separate regulation for the mainland sole had already become a significant factor shortly after 1945.



## The Issue Is Manganese Nodules

The planned convention will retain the provision of the old law, which is to keep the high seas free for all states. This applies particularly to freedom of navigation, undisturbed flights over the ocean as well as, within certain limits, laying of cables and pipes, construction of artificial islands and ocean research. Military actions are permitted as long as they do not violate special regulations of the international law. Fishing is also to remain free; the convention draft is attempting to prevent "over-fishing" in principle, by urging states to cooperate in a general manner. In this respect the new regime differs little from the old law. Nevertheless, there are serious differences: As far as the locale is concerned, the mentioned rules apply neither to the bottom of the ocean nor to the economic zones which in the future will constitute a sizeable part of the earlier high seas.

It is not altogether undisputed whether the traditional law guarantees the free use of the deep-sea floor; better legal arguments, however, are in favor of such traditional freedom. In the past this question was not of great economic importance. At the end of the last century, the first oil deposits were discovered on the mainland socle of the California coast. Today the primary deep-sea issue is manganese nodules, the existence of which on the ocean floor has been known for some time. They contain large quantities of metals that on the mainland are frequently scarce, expensive, and economically almost indispensable. Today's technical development makes it possible to recover the nodules. Two procedures have already been tested: One follows the principle of the vacuum cleaner and the other the manner of a scoop. At least five international consortia--among them one with a 25-percent German participation (Metallgesellschaft, Preussag, Salzgitter)--have already started the exploration and mining of the nodules.

The current draft, however, which is not expected to be changed drastically, does not provide measures that would permit these enterprises to do whatever they wish. Rather, an international maritime authority is to watch over the riches of the ocean floor. It is to ensure that a system is created which will put into practice the idea of the "joint heritage of mankind." An application procedure has been planned, according to which permission may only be granted when the established conditions are met exactly.

Every applicant must give a detailed description of the area where he wants to work. The application must also indicate the technology that is to be applied to the different phases of the operation. The peculiarity of the proposed procedure is that the area under consideration must be divided into two halves with respect to economic aspects; the applicant can be given one of the two halves. According to the proposed law, only an enterprise created by the law of the Sea Conference or a developing country may be active in the other half. To establish the technological prerequisites for the activities of the enterprise, the applicant must obligate himself when submitting the application to provide to that enterprise upon request the employed technology at fair commercial conditions; such an obligation is also to be assumed toward developing countries who want to utilize the ocean floor.

## Percentages for Authorities

In addition, there are plans that the newly created maritime authority as well as the developing countries are to be briefed on the use of this technology. But the



obligations of the successful applicant do not end here. When he begins his activities he must pay fees to the maritime authority. During the first 10 years they amount to 5 percent of the value of the mined metals, after that they will be 12 percent of the value; alternatively, payment can also be made according to an arrangement which is based on a production fee and the net profit of the enterprise.

When it comes to the total amount of mined manganese nodules, the terrestrial producers of the metals have insisted on the establishment of maximum amounts of production, something which is definitely in their interests. For this reason, probably no more than 12, according to other estimates only 7 mining fields will be established on the ocean floor during the next 25 years. Two of them could be claimed by the enterprise, one by the Soviet Union, the remaining fields will probably be divided between the existing consortia from the FRG, France, Great Britain, Japan and the United States.

Finally, consortia which are considering the utilization of the ocean floor are also affected by the fact that 15 years after beginning production within the framework of the new system a verification conference will take place, during which the current rules are to be reconsidered and possibly even changed. To settle legal disputes that will arise in the meantime, a special procedure before a court is to be created and to a certain degree all states covered by the treaty will be subject to it. Although certain areas are beyond the jurisdiction of this court, it is quite remarkable that the states were able at all to agree on a legal procedure. It is possible that the Law of the Sea Court will have its seat in Hamburg.

The claim that the mainland socle must rightfully be allocated to the bordering state was first represented by the United States in 1945. At that time, a "Truman Proclamation" was to guarantee that the huge oil deposits on the American coast would not be taken away from his own country by foreigners. During the 1950's the American position gradually found general recognition; because of oil and natural gas deposits, coastal states everywhere agreed that free access should no longer be in operation. The question that remained unsolved was how far the socle should extend seaward. During a conference in 1958 the participants agreed that the socle was extending into the ocean as far as exploration was possible, limited only by the depth of the water covering the ocean floor.

Since then, however, technological development has progressed to an extent which makes this interpretation no longer tenable because of its vagueness. The current draft proceeds from the concept that this socle extends to a width of 200 miles over the coastal waters. The special characteristic of this convention--which can be explained by the political influence of the coastal states--consists of the idea that the mainland-socle regime will also apply to areas where, geologically, a wide socle does not even exist. Whether a mainland socle rightfully extends beyond the 200-mile zone, however, depends on geological aspects; according to the current regulation, in individual cases a state can claim a mainland socle extending to a width of 500 nautical miles. Nevertheless, if the zone beyond the 200-mile limit is utilized, a fee will have to be paid to the maritime authority 5 years after the beginning of production. This fee is to benefit particularly developing countries and totally land-based states.

## Coastal Waters Four Times as Wide

Until 1945 there was also a rule that the coastal state had no special rights above the mainland socle. The logic of things, however, was that this view could not be upheld for very long. The close proximity to the mainland, which was the basis for claims to the mainland socle, concerned the body of water as well as the socle. Consequently, it follows that coastal states are now claiming them also for themselves. The fact that they succeeded in claiming an "exclusive economic zone," however, does not mean that it becomes national territory, but it contains the right to economic use. The territorial definition was controversial also in this respect. During the conference it was agreed to apply the 200-nautical mile formula, which goes pretty far in meeting the interests of coastal states. From the economic viewpoint this regulation is of considerable importance because large quantities of fish are caught in this coastal area. The present draft, however, contains only inadequate rules as to what kind of fishing rights must be granted by these states to third countries and what criteria are to be used to define these third countries.

There was no dispute at any time during the conference concerning the opinion that the coastal waters close to the mainland will remain the territory of the bordering state also in the future. Negotiations were concerned only with the future expansion of this zone. Traditionally this strip had been established at 3 nautical miles, because it was considered essential for the defense of the mainland. Now the coastal waters are to become four times as wide. Nevertheless, the military superpowers made sure that there was an important restriction to the jurisdiction of coastal states. As was the case in earlier times, ships have the right to peaceful passage. At the urging of the superpowers this right will be guaranteed even more stringently in the future; in straits that are entirely in territorial waters this right is to be applied, in general, also to air space and underwater crossings.

In the North Sea, the bordering states divided the mainland socle among themselves as early as 1971; the German area, which was called "Duck's Beak" because of its peculiar shape, had to turn out relatively small (36,000 square kilometers) because of the geographic situation. During the decision phase of the maritime-law negotiations, the FRG proceeded from the assumption that the fishing zones of EC members located on the Atlantic would be subject to the rules of the European Community, in other words, they would be open to free access by German fisherman. As a matter of fact, at the beginning of the 1970's norms were issued in Brussels for the establishment of a so-called EC-Ocean which support this legal position. After 1976 the EC states jointly extended their fishing zones to 200 nautical miles and agreed to the so-called EC Ocean.

After England joined the EC, the strict application of the EC law was for political reasons no longer tenable. The British fishing zones contain approximately 60 percent of the existing fish in the EC Ocean. Now a rule has been found that deviates from the norms of the European law to the disadvantage of the FRG. Accordingly, each member state is allotted a quota of the entire catch. Current calculations indicate that the catch quota for England will be approximately three times as high as the one for the FRG. On the other hand, when assessing the allotment from the German perspective it must be taken into consideration that only 9 percent of the fish available in the North Sea are located in German waters.

In the Baltic Sea all bordering states have been claiming a sifhing zone of 200 miles since 1978. Consequently, the Baltic Sea is totally divided between these states; because of its geographic situation, the FRG was allotted only 3 percent. If the new convention should come up with obligations for cooperation among the states bordering on the Baltic Sea, no new legal regime would be necessary, various conventions between 1973 and 1974 already fulfilled the obligations contained in the new agreement.

Nevertheless, it would have been desirable if the new convention had produced an unequivocal ruling concerning questions dealing with the passage through Baltic Sea straits. It is certain, however, that such a clear rule will not be forthcoming. At the present time the treaty from 1957 still applies. But it is not quite clear what meaning it has in individual cases, when it comes to the passage of warships and merchant ships; the formulation proposed in the convention will not remove this uncertainty. Soviet attempts to bar NATO from the Baltic Sea were without success; to be sure, the Baltic Sea belongs to the category of "half-closed oceans," which, however, does not tie in with any legal ramifications as far as the military use of this ocean is concerned.

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FISHING INDUSTRY SUFFERS FROM LACK OF QUOTA AGREEMENT

Hamburg DER SPIEGEL in German 2 Feb 81 pp 68-69

[Text] Long ago they should have been off Greenland, Canada or Norway to catch cod, rock salmon or ocean perch. Instead, German deep-sea fishermen were sitting in the bars of Cuxhaven, Bremerhaven and Hamburg and cursing the EEC.

Brussels is a "crappy organization," grumbled one burly customer in the Wuelfel Tavern in Bremerhaven. A second agreed with him, the EEC politicians "should all be chased out, along with those in Bonn because they let themselves be blackmailed constantly by the others."

The fishermen's anger is understandable: because the fish experts in Brussels have not been able to agree on catch quotas for months, the German deep-sea fleet is tied up, and the sailors are worried about their wages. One complained that "because of those people in Brussels" his family had to manage on barely DM 1,400 per month—that is, with the dock time pay that his company gives him for doing nothing. He said that he cannot get by without the expected catch premium, about DM 1,000 monthly: "I can forget a vacation this year."

The sailors' bitterness—they have been waiting on call for weeks—has reached the executive floors of the companies. "The mood is one of more than irritation," said Dieter Koch, head of the Hanseatic Deep Sea Fishing Company.

Koch already had to suffer losses of several million marks at the beginning of the year, in the middle of the best season. Most of his ships are not fishing in the Atlantic, but are moored at German quays.

Thirteen of 20 deep-sea German factory ships are presently tied up and are daily causing their owners—Nordsee, Hanseatic, Nordstern and Pickenpack—more than DM 300,000 losses.

Unimpressed by such problems, the Eurocrats are negotiating tenaciously about catch quotas and the division of fishing grounds among the EEC partners.

Great Britain and France have been quarreling since November about access to coastal waters. The Danes are not satisfied with the planned catch quotas, and the Germans feel as if they have been run over with the so-called third-country rule.



The FRG had long ago reached an agreement with the third country, Canada: in return for fishing rights off Labrador and Newfoundland, the Canadians were to be permitted to send cod fillets to the FRG. But Brussels blocked the Canadian contract. Shipowner Koch calls the EEC quarrels "absolute lunacy."

The industry announced last week that if Bonn did not finally get its way in Brussels, the fishermen would blockade the harbors of Hamburg and Bremen. Reduced working hours and even the layoff of 1,200 men to begin with would be inevitable.

On Wednesday last week the chief German negotiator, Minister for Food Joseph Ertl, calmed the angry industry with a small partial victory: the Danes allowed the Germans to take 3,000 tons of cod from the seas off eastern Greenland--but only until 10 February. The wrangling about catch quotas and above all about the agreement with Canada continues.

The German deep-sea fishermen feel themselves the hardest hit by the argument in Brussels. The Germans argue that while all the other EEC fishing industries could live with the present conditions, they themselves were dependent above all on fishing grounds off third countries' coasts.

Their dilemma began in 1977, when countries worldwide established the 200-mile zone off their coasts as protected areas for their own fishermen. Cut off from their traditional fishing grounds, the German fishing fleet shrank in numbers from year to year.

In 1973, 84 fishing vessels were sailing under the German flag, among them 34 factory ships which put out their nets thousands of sea miles from their home ports and process the catch on board. The remainder were fresh fish vessels, which had to sail back immediately with their catch. By the end of 1981, the German "fleet nucleus" (Koch) will consist of only 16 factory and fishing vessels.

The Germans have the most modern deep-sea fishing fleet, thanks in part to many millions in subsidies. More than other EEC countries they have specialized in so-called long-distance fishing, in catching cod, haddock, rock salmon, ocean perch, halibut and whiting off remote foreign shores.

The quota treaties with third countries, on which German deep sea fishermen are heavily dependent, have to be sanctioned by the EEC. The German fishermen are afraid that the bureaucrats in Brussels have already argued too long: after the end of February pack ice drives ships from the waters off Labrador and Newfoundland; in March at the latest the season there is over.

At the moment a few fishing and processing ships are steaming in the Atlantic. But the industry cannot survive on that; the catch off Greenland (ocean perch) and in western British waters (mackerel) is too small. German deep-sea fishermen and their association already fear the worst. If the ministers of agriculture in Brussels do not reach agreement soon about who can catch how much and where, the Germans would have to scrap their ships. Association deputy chairman Koch said: "The fleet is in danger."

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TURKEY

BRIEFS

AEGEAN CONTINENTAL SHELF--Ankara, 1 Mar (AA)--Foreign Ministry officials commenting on the forthcoming International Sea Law Conference in New York told Anadolu Ajans that Turkey would like to see the Aegean Continental Shelf and delineation of economic waters issues with Greece resolved by the two countries in an equitable way. The Aegean Sea had a special status, officials said, adding "there is a balance in the Aegean established by the Lausanne Treaty, a balance vital to both countries involved. Therefore, Turkey has repeatedly declared she would not allow (Greece to increase her) waters in the Aegean to 12 miles. [Text] [TA011532 Ankara ANATOLIA in English 1440 GMT 1 Mar 81]

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